Planning and Development Committee
Agenda

Date: Tuesday, February 20, 2018
Time: 7:00 PM
Place: Council Chambers, 2nd Floor
Municipal Administrative Centre
40 Temperance Street
Bowmanville, Ontario

Inquiries & Accommodations: For inquiries about this agenda, or to make arrangements for accessibility accommodations for persons attending, please contact: Samantha Gray, Committee Coordinator, at 905-623-3379, ext. 2106 or by email at sgray@clarington.net.

Alternate Format: If this information is required in an alternate format, please contact the Accessibility Coordinator, at 905-623-3379 ext. 2131.

Audio Record: The Municipality of Clarington makes an audio record of General Government Committee meetings. If you make a delegation or presentation at a General Government Committee meeting, the Municipality will be audio recording you and will make the recording public by publishing the recording on the Municipality’s website.

Cell Phones: Please ensure all cell phones, mobile and other electronic devices are turned off or placed on non-audible mode during the meeting.

Copies of Reports are available at www.clarington.net
1 Call to Order

2 New Business – Introduction

Members of Committee are encouraged to provide the Clerk’s Department, in advance of the meeting, a copy of any motion the Member is intending to introduce, (preferably electronic) such that staff could have sufficient time to share the motion with all Members prior to the meeting.

3 Adopt the Agenda

4 Declaration of Interest

5 Announcements

6 Adoption of Minutes of Previous Meeting

6.1 January 29 Minutes

Minutes of a Regular Meeting of January 29, 2018

7 Public Meetings

7.1 Public Meeting Application for a Proposed Zoning By-law Amendment

Applicant: Fourteen Estates Limited

Report: PSD-016-18

Location: Ormiston Street, Hampton & Lands Northeast of Old Scugog Road and Ormiston Street

7.2 Public Meeting Application for a Proposed Zoning By-law Amendment

Applicant: Landmark-Newcastle Limited

Report: PSD-017-18

Location: 403 & 415 Mill Street South, Newcastle
7.3 Public Meeting Application for a Proposed Zoning By-law Amendment Page 18

Applicant: Bowmanville Lakebreeze East Village Ltd.

Report: PSD-018-18

Location: 100 Bennett Road & 2675 South Service Road, Bowmanville

8 Delegations

No Delegations

9 Communications - Receive for Information

There are no Communications to be received for information.

10 Communications – Direction

There are no Communications for direction.

11 Presentations

No Presentations

12 Planning Services Department Reports

12.1 PSD-016-18 An Application by Fourteen Estates Limited to rezone a 0.48 ha parcel to restrict the use of lands for open space purposes to allow for nitrate dilution to permit an additional two residential lots in Hampton Page 20

12.2 PSD-017-18 An application by Landmark-Newcastle Limited to amend Zoning By-law 84-63 to permit the development of 22 townhouse units at 415 Mill Street South and 403 Robert Street East, Newcastle Page 29
Planning and Development Committee Agenda

Date: February 20, 2018
Time: 7:00 PM
Place: Council Chambers

12.3 PSD-018-18 An Application by Bowmanville Lakebreeze East Village Ltd. to amend the R3-43 zone to permit a 341 unit townhouse development (Kaitlin) in Port Darlington Neighbourhood in Bowmanville

12.4 PSD-019-18 Extension to Draft Approval for Two Draft Approved Plans of Subdivision by Smooth Run Developments (DG Group Inc.) and Brookfield Homes (Ontario) Ltd in Newcastle

12.5 PSD-020-18 An Application by 3D Cana Inc. for the Removal of Holding (H) Symbol at 685 Lake Road in Bowmanville to Permit the Development of a New Industrial Building

13 New Business – Consideration

14 Unfinished Business

None

15 Confidential Reports

No Reports

16 Adjournment
Minutes of a meeting of the Planning and Development Committee held on Monday, January 29, 2018 at 7:00 PM in the Council Chambers.

Present Were: Mayor A. Foster, Councillor S. Cooke, Councillor R. Hooper, Councillor J. Neal, Councillor W. Partner, Councillor C. Traill, Councillor W. Woo

Staff Present: A. Allison, D. Crome, C. Pellarin, K. Richardson, C. Salazar, J. Gallagher, S. Gray

1 Call to Order

Councillor Neal called the meeting to order at 7:00 PM.

2 New Business – Introduction

There were no new business items added to the Agenda.

3 Adopt the Agenda

Resolution #PD-015-18

Moved by Councillor Woo, seconded by Councillor Hooper

That the Agenda for the Planning and Development Committee meeting of January 29, 2018 be adopted as presented.

   Carried

4 Declarations of Interest

There were no disclosures of interest stated at this meeting.

5 Announcements

Members of Committee announced upcoming community events and matters of community interest.
6 Adoption of Minutes of Previous Meeting

Resolution #PD-016-18

Moved by Councillor Partner, seconded by Councillor Woo

That the minutes of the regular meeting of the Planning and Development Committee, held on January 8, 2018, be approved. Carried

7 Public Meetings

7.1 Draft Terms of Reference for the Southeast Courtice Secondary Plan

Applicant: Municipality of Clarington
Report: PSD-011-18
Location: Southeast Courtice

Lisa Backus, Principal Planner, made a verbal and electronic presentation to the Committee regarding the Draft Terms of Reference for the Southeast Courtice Secondary Plan.

Libby Racansky, local resident, spoke in opposition to the application. Ms. Racansky asked if 50% of the cost of the subwatershed study would be funded by the Municipality of Clarington. She is concerned with climate change, and would like the terms of reference to include that all the forest areas around Tooley Mill and Robinson Creek to ensure that they will be protected, with setbacks and linkages for wildlife. Ms. Racansky stated that she would like the subwatershed study to mitigate the flooding caused by Highway 418 along Hancock Road South. She noted that she would like to see high density along Courtice Road. Ms. Racansky would like the Committee to ask Durham Region to consider realigning the intersection on Courtice Road. She stated that Bloor Street and Highway 2 need to be rehabilitated prior to building subdivisions. Ms. Racansky stated that she would like the terms of reference to include that the storm water pond to be built like a wetland with meandering outfalls. She concluded by stating that high density along Courtice Road is important for the future GO Station in Courtice.

Susan Elston, local resident, spoke in opposition to the application. Ms. Elston explained that she is concerned with sustainability and climate change. She asked if staff will be looking at the climate adaptation plan developed by Durham Region to look at long term climate adaptation planning. Ms. Elston stated that the adaptation plan should be included in the Southeast Courtice Secondary Plan. She mentioned that a heritage component was mandated by the province, and that there was no reference to one in the presentation. Ms. Elston is concerned about the residents who live in the area who are on wells and the impact on their ability to maintain their lifestyle. She asked the Committee if there will be consideration or compensation for people who are living within the area that may not be a part of the urban growth plan.
Ron Worboy, spoke on behalf of the Muir’s, a large property owner in the area. Mr. Worboy is concerned that if you are not a member of the Landowners Group will you not have full access to the consultants and staff as the secondary plan process proceeds.

Mark Stanisz, local resident, spoke in opposition to the application. Mr. Stanisz is concerned with the heritage aspect of the plan and what will happen to those properties.

Bill Roka, local resident, spoke in opposition to the application. Mr. Roka asked the Committee if the Municipality of Clarington is conducting the study. He would like to know the current zoning of the area and if there has been submission from developers. Mr. Roka stated that he would like to know the timeline, from phase one to four, of the Plan. He would also like to know at what point during the process the developed and landowners group have a chance to provide input. Mr. Roka is concerned with the existing residents in the area and if the services be connected.

7.2 Application for a Proposed Zoning By-law Amendment

Applicant: Alpa Pre-Engineered Panel Systems Inc.
Report: PSD-012-18
Location: 2021 and 2033 Baseline Road, Bowmanville

Brandon Weiler, Planner, made a verbal and electronic presentation to the Committee regarding the application.

Fernando Ponte, local resident, spoke in opposition to the application. Mr. Ponte is concerned about the noise late into the night. He stated that the lights on the property projecting onto his property and he added that he is concerned that, if the proposed addition is approved, there will be more light pollution. Mr. Ponte is concerned that his property value will reduce significantly. He is concerned that there will be an increase of trucking in the area and that the new entrance will be in front of his driveway. Mr. Ponte stated that when he bought his property the proposed property was designated agricultural.

Adrian Litavski, Johnston Litavski Ltd., spoke on behalf of the applicant. Mr. Litavski was present to address concerns from the public. He stated that this application plans to expand the employment use within the area. He mentioned that that they will be working with staff to address any concerns. Mr. Litavski explained that they will try to mitigate any concerns through the site plan application process.
7.3 Application for a Proposed Zoning By-law Amendment

Applicant: WED Investments Limited (Kaitlin Corporation)
Report: PSD-013-18
Location: 1599 Green Road, Bowmanville

Anne Taylor Scott, Senior Planner, made a verbal and electronic presentation to the Committee regarding the application.

There were no speakers in support of, or in opposition to, the application.

8 Delegations


Marilyn Morawetz, Jury Lands Foundation, was present regarding potential locations for Durham Hospice. Ms. Morawetz noted that the Jury Lands Foundation, along with the Municipality of Clarington and the developers, have been working together to move the Camp 30 site towards a repurposed use. She stated that they have made progress towards their end goals and have potential opportunities that will support the vision for the site. Ms. Morawetz outlined the proposed concept for the site. She stated that the Camp 30 site would be the ideal setting for Durham Hospice. Ms. Morawetz explained that the hospice project is vitally needed in this community and could benefit greatly as the first project on 2020 Lambs Road site. She noted that the Jury House is removed from the other buildings but is still accessible along the ring road. Ms. Morawetz stated that the structure has been evaluated for significant architecture and has been assessed as worthy for repurposed use. She explained that the Jury House provides a peaceful and natural environment for the people using the hospice. Ms. Morawetz stated that they are hopeful that the Jury House is chosen as the location for Durham Hospice. She explained that, although interim services would be necessary to meet the require timeline for this project, there are permanent services within reach that would be beneficial as the hospice grows in size. Ms. Morawetz stated that a new build would be less expensive but that a full assessment of the actual costs of using the Jury House has not been presented. She mentioned that there are several granting opportunities available and the Jury Lands Foundation would work with Durham Hospice to acquire possible funding to support the project. Ms. Morawetz stated that the Jury House is not large enough to support the five beds, and that most of the structure would have to be new and therefore comparable in cost to the other potential location. She expressed concern that taking on the repurposing of the historical building is not the most significant reason that other site under consideration has an advantage. Ms. Morawetz stated that the Jury Lands Foundation supports the Durham Hospice project. She requested that the Committee provide the Jury Lands Foundation with the opportunity to submit more information prior to making a decision.
9 Communications - Receive for Information

There are no Communications to be received for information.

10 Communications – Direction

10.1 Helen Mihailidi, Southeast Courtice Landowners Group - Regarding Report PSD-011-18 Southeast Courtice Secondary Plan Study – Terms of Reference

Resolution #PD-017-18

Moved by Mayor Foster, seconded by Councillor Cooke

That Communication Item 10.1, from Helen Mihailidi, Southeast Courtice Landowners Group, Regarding PSD-011-18, be referred to the consideration of Report PSD-011-18.

Carried

10.2 Beth Kelly, President, Valiant Rental Properties Limited - Regarding Report PSD-013-18 Applications by WED Investments Limited for a Draft Plan of Subdivision and Rezoning to permit a Townhouse development in the Bowmanville West Town Centre, Bowmanville

Resolution #PD-018-18

Moved by Councillor Hooper, seconded by Councillor Partner


Carried

11 Presentation(s)

No Presentations
12 Planning Services Department Reports

12.1 PSD-011-18 An Southeast Courtice Secondary Plan Study – Terms of Reference

Resolution #PD-019-18

Moved by Mayor Foster, seconded by Councillor Cooke

That Report PSD-011-18 be received;

That Planning Services staff be authorized to commence the preparation of the Southeast Courtice Secondary Plan;

That staff be authorized to finalize the draft Terms of Reference and issue a Request for Proposal to retain the necessary consultants for the preparation of the Secondary Plan;

That the Director of Planning Services be authorized to execute the necessary cost recovery agreements with the Southeast Courtice Landowners Group Inc. for the preparation of the Secondary Plan; and

That all interested parties for Report PSD-011-18, any delegations and the Region of Durham Planning Department be notified of Council’s Decision.

Carried

12.2 PSD-012-18 Applications by Alpa Pre-Engineered Panel Systems Inc. to Allow the Expansion of the Existing Industrial Business at 2021 Baseline to 2033 Baseline Road

Resolution #PD-020-18

Moved by Councillor Cooke, seconded by Mayor Foster

That Report PSD-012-18 be received;

That the Official Plan Amendment and Zoning By-law Amendment applications submitted by Alpa Pre-Engineered Panel Systems Inc. continue to be processed and that a subsequent report be prepared; and

That all interested parties listed in Report PSD-012-18 and any delegations be advised of Council’s decision.

Carried
12.3 PSD-013-18 Applications by WED Investments Limited for a Draft Plan of Subdivision and Rezoning to Permit a Townhouse Development in the Bowmanville West Town Centre, Bowmanville

Resolution #PD-021-18

Moved by Councillor Hooper, seconded by Councillor Traill

That Report PSD-013-18 be received;

That the applications for a Draft Plan of Subdivision and Rezoning, submitted by WED Investments Limited for the development of townhouse block continue to be processed and that a subsequent report be prepared; and

That all interested parties listed in Report PSD-013-18 and any delegations be advised of Council's decision.

Carried

12.4 PSD-014-18 2017 Planning Applications

Resolution #PD-022-18

Moved by Councillor Woo, seconded by Councillor Partner

That Report PSD-014-18 be received for information.

Carried

13 Chief Administrative Office

13.1 CAO-002-18 Potential Locations for Durham Hospice – Clarington

Resolution #PD-023-18

Moved by Councillor Woo, seconded by Mayor Foster

That Report CAO-002-18 be received;

That staff be directed to declare approximately 0.8 hectares (2 acres) of the municipally-owned property south of 1895 Cobbledick Road shown in Figure 1 of Report CAO-002-18, as surplus and transfer such property to Durham Hospice – Clarington for nominal consideration, subject to the conditions set out in section 2.11 of Report CAO-002-18 with the exception of the condition that the name “Clarington” be included in the facility’s name;

That staff be directed to take all steps to effect the transfer;

The Mayor and Clerk be authorized to execute any documentation necessary to effect the transfer; and
That the owner of 1895 Cobbledick Road be notified of Committee’s recommendation and all interested parties listed in Report CAO-002-18 and any delegations be advised of Council’s decision.

Carried

14 New Business – Consideration

There were no New Business Item to be considered under this Section of the Agenda.

15 Unfinished Business

15.1 PSD-005-18 Applications for Draft Plan of Subdivision and Rezoning by Lindvest Properties (Clarington) Limited to develop a former school block as a 51 lot subdivision in Newcastle

Resolution #PD-024-18

Moved by Councillor Partner, seconded by Councillor Woo

That Report PSD-005-18 be received;

That the Official Plan Amendment COPA 2017-0001 is no longer necessary and the file be closed;

That the Director of Planning and the Director of Engineering Services be authorized to amend the Foster North East Neighbourhood Design Plan as contained in Attachment 1 to Report PSD-005-18;

That the application for a Draft Plan of Subdivision S-C-2017-0001 submitted by Lindvest Properties (Clarington) Limited, to permit the development of 51 residential units, be supported subject to the conditions generally as contained in Attachment 2 to Report PSD-005-18;

That the application to amend the Zoning By-Law by Lindvest Properties (Clarington) Limited be approved and that the By-law in Attachment 3 to Report PSD-005-18 be passed;

That once all conditions contained in the Official Plan and Zoning By-law with respect to the Removal of the (H) Holding Symbol are satisfied, the By-law authorizing the Removal of the (H) Holding Symbol be approved;

That the Durham Regional Planning Department and Municipal Property Assessment Corporation be forwarded a copy of report PSD-005-18 and Council's decision; and

That all interested parties listed in Report PSD-005-18 and any delegations be advised of Council's decision.

Carried
16 Confidential Reports

There were no Confidential Reports scheduled under this Section of the Agenda.

17 Adjournment

Resolution #PD-025-18

Moved by Councillor Traill, seconded by Mayor Foster

That the meeting adjourn at 8:47 PM.

Carried

________________________ ________________________
Chair Deputy Clerk
Notice of Public Meeting

A land use change has been proposed, have your say!
The Municipality is seeking public comments before making a decision on an application to amend the Zoning By-law.

Proposal
Fourteen Estates Limited has submitted an application to amend the Zoning By-law to restrict the use of lands on the area shaded in blue on the map below to open space associated with nitrate dilution to allow the creation of two new residential lots on lands fronting on Ormiston Street.

Nitrates are produced by bacteria from ammonia found in human waste. Nitrates from septic systems can be diluted to meet Ministry of the Environment and Climate Change and Region of Durham Health Department policies through minimum lot size requirements or nitrates can be diluted by restricting development on lands off site.

Property
Ormiston Street, Hampton
Lands North-east of Old Scugog Road and Ormiston Street

How to be Informed
The proposed amendment, additional information and background reports and studies are available for review at the Planning Services Department. Questions? Please contact Karl Kiproff of the Durham Region Health Department at 905-985-4889, extension 4908 regarding private sewage disposal system concerns. Please contact Amanda Tapp at 905-623-3379, extension 2420, or by email at atapp@clarington.net for information on the application.

How to Provide Comments
Speak at the Public Meeting:

Date: Tuesday, February, 20, 2018
Time: 7:00 pm
Place: 40 Temperance Street, Bowmanville, ON L1C 3A6
Council Chambers, Municipal Administrative Centre

Or write to the Planning Services Department to the attention of Amanda Tapp
File Numbers: LD055/2014, LD056/2014 and ZBA 2017-0035
Freedom of Information and Protection of Privacy Act

The personal information you submit will become part of the public record and may be released to the public. Questions about the information we collect can be directed to the Clerk’s Department at 905-623-3379, extension 2102.

Accessibility

If you have accessibility needs and require alternate formats of this document or other accommodations please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Appeal Requirements

If you do not speak at the public meeting or send your comments or concerns to the Municipality of Clarington before the by-law is passed: a) you will not be entitled to appeal the decision to the Ontario Municipal Board or the Local Planning Appeal Tribunal, as appropriate; and b) you will not be able to participate at a hearing of an appeal before the Ontario Municipal Board or Local Planning Appeal Tribunal, as appropriate unless, in the opinion of the Board or the Tribunal, there are reasonable grounds to do so.

David J. Crome, MCIP, RPP
Director of Planning Services
Notice of Public Meeting

A land use change has been proposed, have your say!
The Municipality is seeking public comments before making a decision on an application to amend Zoning By-law 84-63.

Proposal
Landmark-Newcastle Limited has submitted an application to amend Zoning By-law 84-63 to develop 22 townhouse units accessed by a private street. 15 townhouse units are proposed to front onto Mill Street South. Driveway access to all units is proposed to be from the private street. The Zoning By-law Application has been deemed complete.

Property
403 and 415 Mill Street South, Newcastle
Southeast corner of Mill Street South and Robert Street East, with the Highway 401 off ramp to the south.

How to be Informed
The proposed amendment, additional information and background studies are available for review at the Planning Services Department and on our website at clarington.net/developmentproposals

Questions? Please contact Brandon Weiler 905-623-3379, extension 2424, or by email at bweiler@clarington.net

How to Provide Comments
Speak at the Public Meeting:
Date: Tuesday, February, 20, 2018
Time: 7:00 pm
Place: 40 Temperance Street, Bowmanville, ON L1C 3A6
Council Chambers, Municipal Administrative Centre

Or write to the Planning Services Department to the attention of Brandon Weiler.

File Number: ZBA2017-0037 (Cross Reference SPA2017-0047)
Freedom of Information and Protection of Privacy Act

The personal information you submit will become part of the public record and may be released to the public. Questions about the information we collect can be directed to the Clerk’s Department at 905-623-3379, extension 2102.

Accessibility

If you have accessibility needs and require alternate formats of this document or other accommodations please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Appeal Requirements

If you do not speak at the public meeting or send your comments or concerns to the Municipality of Clarington before the by-law is passed: a) you will not be entitled to appeal the decision to the Ontario Municipal Board or the Local Planning Appeal Tribunal, as appropriate; and b) you will not be able to participate at a hearing of an appeal before the Ontario Municipal Board or Local Planning Appeal Tribunal, as appropriate unless, in the opinion of the Board or the Tribunal, there are reasonable grounds to do so.

David J. Crome, MCIP, RPP
Director of Planning Services
Notice of Public Meeting

A land use change has been proposed, have your say!
The Municipality is seeking public comments before making a decision on an application to amend the Zoning By-law.

Proposal
Bowmanville Lakebreeze East Village Ltd. proposes to amend the existing R3-43 Zone to add stacked townhouse units as a permitted use, to modify townhouse unit regulations, and to reduce parking requirements for stacked townhouse units. The application is complete.

Property
Address: 100 Bennett Road, 2675 South Service Road, Bowmanville
West Side of Bennett Road, south of CN Railway

How to be Informed
The proposed amendment, additional information and background studies are available for review at the Planning Services Department. Questions? Please contact Anne Taylor Scott 905-623-3379, extension 2414, or by email at ataylorscott@clarington.net

How to Provide Comments
Speak at the Public Meeting:
Date: Tuesday, February 20, 2018
Time: 7:00 pm
Place: 40 Temperance Street, Bowmanville, ON L1C 3A6
        Council Chambers, Municipal Administrative Centre

Or write to the Planning Services Department to the attention of Anne Taylor Scott, Senior Planner, Development Review Branch

File Number: ZBA 2017-0019
Freedom of Information and Protection of Privacy Act

The personal information you submit will become part of the public record and may be released to the public. Questions about the information we collect can be directed to the Clerk’s Department at 905-623-3379, extension 2102.

Accessibility

If you have accessibility needs and require alternate formats of this document or other accommodations please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Appeal Requirements

If you do not speak at the public meeting or send your comments or concerns to the Municipality of Clarington before the by-law is passed: a) you will not be entitled to appeal the decision to the Ontario Municipal Board or the Local Planning Appeal Tribunal, as appropriate; and b) you will not be able to participate at a hearing of an appeal before the Ontario Municipal Board or Local Planning Appeal Tribunal, as appropriate unless, in the opinion of the Board or the Tribunal, there are reasonable grounds to do so.

David J. Crome, MCIP, RPP
Director of Planning Services
# Planning Services Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

<table>
<thead>
<tr>
<th>Report To:</th>
<th>Planning and Development Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Meeting:</td>
<td>February 20, 2018</td>
</tr>
<tr>
<td>Report Number:</td>
<td>PSD-016-18</td>
</tr>
<tr>
<td>Resolution Number:</td>
<td></td>
</tr>
<tr>
<td>File Number:</td>
<td>ZBA2017-0035</td>
</tr>
<tr>
<td>By-law Number:</td>
<td></td>
</tr>
<tr>
<td>Report Subject:</td>
<td>An Application by Fourteen Estates Limited to rezone a 0.48 ha parcel to restrict the use of lands for open space purposes to allow for nitrate dilution to permit an additional two residential lots in Hampton</td>
</tr>
</tbody>
</table>

## Recommendations:

1. That Report PSD-016-18 be received;

2. That staff consider the public comments received in the further processing and preparation of a subsequent of the proposed application for Zoning By-law Amendment (ZBA2017-0035); and

3. That all interested parties listed in Report PSD-016-18 and any delegations be advised of Council’s decision.
**Report Overview**

Staff is seeking public input on a proposed Zoning By-law Amendment to zone the subject lands to a Special Environmental Protection Exception Zone to restrict the use of lands for open space purposes and for dilution of nitrates from the septic systems of 11 residential lots on lands fronting on Ormiston Street in Hampton. The additional nitrate dilution area allows two additional lots to the nine lots that are currently permitted.

---

**1. Application Details**

1. **Owner:** Fourteen Estates Limited  
2. **Applicant/Agent:** Carolyn Molinari – CM Planning Inc.  
3. **Proposal:** To rezone 0.48 hectares to a Special Environmental Protection Exception Zone to restrict the use of the lands for open space uses that would for dilution of nitrates from nearby residential development.  
4. **Area:** 0.48 hectares  
5. **Location:** Part Lot 17, Concession 5, former Township of Darlington  
6. **Roll Number:** 1817-010-120-09822 and 1817-010-120-09700  
7. **Within Built Boundary:** No

---

**2. Background**

2.1 Applications for Official Plan Amendment and Zoning By-law Amendment to expand the Hampton Hamlet boundary were originally filed in 2003 and approved by Council in 2010. Originally the approval allowed for 8 lots based on supporting studies. This was amended through a subsequent rezoning in November 2013 to allow a ninth based in part on additional lands that was part of an unopened road allowance that had been closed and conveyed to the applicant. Following approval of the Official Plan and Zoning By-law Amendments, the lots were created through consent applications. The nine lots created varied in size from 0.49 ha (1.21 acres) to 1.05 ha (2.6 acres).

2.2 On July 25, 2014, the Durham Region Land Division Committee heard applications LD055-2014 and LD056-2014 to divide two of the nine lots referenced above to allow two additional lots (a total of 11 lots). At the time of application, Clarington Staff comments provided concerns about further lot creation given previous hydrogeological studies.
Figure 1: Proposal including Lands for Potential Future Development

2.3 The hydrogeological study prepared by the applicant’s consultant was peer reviewed by a consultant retained by the Region of Durham. The applicant’s consultant and the Peer review consultant both agreed that the two proposed additional lots could be supported from a servicing perspective with a 0.48 ha (1.2 acre) nitrate dilution area being identified. On July 17, 2017, Land Division Applications, LD055/2014 and LD056/2014, were approved with conditions by the Land Division Committee.

2.3 As a condition of approval for the consent applications the Municipality required the area required for nitrate dilution be placed in a restrictive zone to ensure it is not used for any other development purposes.

2.4 A Hydrogeological Report prepared by GHD Limited dated December 13, 2016, a Peer Review conducted by Golder Associates dated April 11, 2017 and two addendum letters prepared by GHD Limited dated May 11, 2017 and August 10, 2017 were submitted in support of this application.
3. Land Characteristics and Surrounding Uses

3.1 The subject lands are 0.48 hectares (1.2 acres) in area and are located directly adjacent to a number of existing developed and undeveloped rural residential lots created by way of consent, fronting onto Ormiston Street in Hampton. The lands slated for nitrate dilution are vacant and wooded with some mature vegetation, and form part of the Natural Heritage System.

3.2 The surrounding uses are as follows:
- North: Vacant Environmental Protected and Agricultural Lands
- South: Hampton Junior Public School and Residential Dwellings
- East: Residential Dwellings, Environmental Protected and Agricultural Lands
- West: Residential Dwellings

![Figure 2: Aerial view of subject lands](image)

3.3 When OPA 107 was adopted on November 1, 2016, it included an expansion to the hamlet boundary as shown on Figure 1. The Region, in approving OPA 107 deferred the expansion to the Hampton Hamlet boundary. The decision to defer the expansion, as well as the size of the expansion was appealed by 562503 Ontario Ltd. and Honey Harbour Heights Estates Ltd, which are both companies associated with Fourteen Estates limited, the applicant for this rezoning. The subject lands, if rezoned for nitrate dilution associated with the two additional lots fronting on Ormiston Street could not be used in future considerations of the hamlet expansion.
4. **Provincial Policy**

**Provincial Policy Statement**

4.1 The Provincial Policy Statement identifies settlement areas, including hamlets, as the focus of growth. Private sanitary sewage and water services are permitted where there is no negative impacts. The purpose of the nitrate dilution area is to ensure no negative impacts.

4.2 The subject application is consistent with the Provincial Policy Statement.

**Greenbelt Plan**

4.3 The subject lands are within the Protected Countryside of the Greenbelt whereas the residential lots are within a hamlet settlement area. Infill and intensification of Hamlets is permitted subject to appropriate water and sewage services. The application to rezone the lands for nitrate dilution is to serve proposed and new residential development on lands fronting on Ormiston Street, within the settlement area. The subject lands will be placed in restrictive zoning so that the land cannot be used for another use.

4.4 The application conforms to the Greenbelt Plan.

5. **Official Plans**

**Durham Regional Official Plan**

5.1 The Durham Region Official Plan designates the subject lands as Prime Agricultural Areas and Hamlet. The subject lands will be in a site specific zoning restricting the use of the subject lands.

5.2 The application conforms to the Durham Regional Official Plan.

**Clarington Official Plan**

5.3 Within the Clarington Official Plan the subject lands are designated Hamlet Residential and Environmental Protection. The subject lands will be in a site specific zoning restricting the use of the subject lands.

5.4 The application conforms to the Clarington Official Plan.

6. **Zoning By-law**

6.1 Zoning By-law 84-63 zones the subject lands “Agricultural Exception (A-1)”, and “Environmental Protection (EP)”. The rezoning application will rezone, 0.48 hectares to a Special Environmental Protection Exception Zone to acknowledge the use and purpose of the lands for nitrate dilution serving proposed and new residential development on lands fronting on Ormiston Street subject to applications LD055/2014 and LD056/2014.
7. Summary of Background Studies

Hydrogeological Update

7.1 The applicant retained GHD Limited to prepare a Hydrogeological Update, Nitrate Impact Assessment, Ormiston Street, Hampton, ON in favour of the development proposal. The report, dated December 13, 2016 provides an updated nitrate loading assessment for an 11-lot residential development. The report’s key conclusion are as follows:

- Based on the previous hydrogeological work completed at this Site that the addition of 11 lots will have no impact to the on-site or off-site wells that tap the deeper aquifer; and
- The nitrate impact assessment model can be made acceptable by the addition of 0.48 hectares.

Hydrogeological Peer Review

7.2 The Region of Durham retained Golder Associated Ltd to peer review the GHD report, Hydrogeological Update, Nitrate Impact Assessment, Ormiston Street, Hampton. The key conclusions to the peer review, dated April 11, 2017 are as follows;

- The Peer Review is in agreement that the Hydrogeological Update provided generally supports the development of 11 lots on 5.66 hectares plus an additional 0.48 ha of land to be used for nitrate dilution purposes from a nitrate dilution perspective;
- Future development and sources of nitrate should be prohibited on the 0.48 hectare of land that has been identified for nitrate dilution purposed.

GHD Limited Addendum Letter, Response to Hydrogeological Comments, Municipality of Clarington

7.3 The applicant retained GHD Limited to prepare an addendum letter, dated May 11, 2017, to address the Municipality of Clarington comments dated May 9, 2017. The Addendum Letter addresses concerns mainly related to the impact to on-site or off-site wells. The letter summarizes that the future wells of this development will have minimal impact on wells drawing water from this aquifer. The letter further states that no impacts from properly constructed septic disposal systems is expected to existing dug/bored wells or deeper drilled wells in the area.
GHD Limited Addendum Letter #2

7.4 The applicant retained GHD Limited to prepare a second addendum letter, dated August 10, 2017, to address further correspondence between external agencies and the applicants. The second Addendum Letter provides information on the 0.48 hectares of land needed for nitrate impact assessment calculations for the addition of 2 lots for a total of 11 lots. The letter explains that the area identified for nitrate dilution purposes is downgradient of the proposed severed lots and that groundwater naturally travels westerly towards these lands. The dilution lands will not be developed in the future since they are part of an environmental area cannot be used in future nitrate calculations.

8. Public Notice and Submissions

8.1 Public notice was given by mail to each landowner within 120 metres of the subject lands. The public notice for this application was mailed on January 19, 2018. The Public Notice sign was installed on the subject lands along two separate frontages on Ormiston Street in Hampton.

![Figure 3: Notice of Development Proposal](image)

8.2 At the time of writing, staff had received one general inquiry and one e-mail submission from a neighbouring household in opposition to the proposed application. The concerns within the written submission related to current and future construction of the lots on Ormiston Street. These concerns are addressed in Section 11 of this report.

9. Agency Comments

Regional Municipality of Durham

9.1 The application was circulated to the Durham Planning and Health Departments. As of the writing of this report, no comments had been received. Once Regional comments are received, they will be included in a future report.
Central Lake Ontario Conservation Authority

9.2 The Central Lake Ontario Conservation Authority has no objection to the approval of the rezoning application.

10. Departmental Comments

   Engineering Services

10.1 The Engineering Services Department has no objection, in principle, to the application.

   Building Division

10.2 The Building Division has no comments regarding the application.

11. Discussion

11.1 Nitrates are produced by bacteria from ammonia found in human waste. Regional policy requires that every lot on private services has adequate nitrate dilution areas on the lot itself. Alternatively, other lands outside of the site can be used for nitrate dilution, provided there are appropriate studies supporting this alternative method.

11.2 Both the hydrogeological study and the peer review support an off-site nitrate dilution area in order to allow the severance of the two lots. Staff requested that the additional 0.48 hectares of land be given a restrictive zoning so that the land cannot be used for another use.

11.3 The resident’s concerns referenced in Section 8.2 are related to the development of the lots on Ormiston Street to date and opposition to the creation of any further lots. The Land Division applications (LD055 and 056/2014) were approved conditionally on July 17, 2017. There were no objections from the public to the severances and no appeals were made. It would appear that the concerns are not related directly to this rezoning application but they are as a result of the land division applications and construction activity.

11.4 No other significant issues have been raised to date regarding the Zoning By-law Amendment. Until such time as comments are received from the Durham Region, it is unknown whether there are any issues from a Regional perspective. However, all other agency comments have been received.

12. Concurrence

   Not Applicable.
13. Conclusion

Staff will continue the processing of the application including the preparation of a subsequent report upon receipt of the outstanding agency comments and considering any public input received at the public meeting.

14. Strategic Plan Application

Not applicable.

Submitted by:  
David J. Crome, MCIP, RPP  
Director of Planning Services

Reviewed by:  
Andrew C. Allison, B.Comm, LL.B  
Chief Administrative Officer

Staff Contact: Amanda Tapp, Planner, 905-623-3379 ext. 2420 or atapp@clarington.net

The following is a list of the interested parties to be notified of Council’s decision:

Shawn Rondeau, Honey Harbour Heights Estates Ltd
Carolyn Molinari, CM Planning Inc.
Andrew and Amanda Townson
Carroll Clemens

AT/CP/nI
Planning Services
Public Meeting Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: Planning and Development Committee
Date of Meeting: February 20, 2018
Report Number: PSD-017-18 Resolution:
File Number: ZBA2017-0037 By-law Number:
Report Subject: An application by Landmark-Newcastle Limited to amend Zoning By-law 84-63 to permit the development of 22 townhouse units at 415 Mill Street South and 403 Robert Street East, Newcastle.

Recommendations:

1. That Report PSD-017-18 be received;

2. That the Zoning By-law Amendment application submitted by Landmark-Newcastle Limited continue to be processed and that a subsequent report be prepared; and

3. That all interested parties listed in Report PSD-017-18 and any delegations be advised of Council’s decision.
Report Overview

The Municipality is seeking the public’s input on an application to amend Zoning By-law 84-63, submitted by Landmark-Newcastle Limited. The application would permit the development of 22 townhouse units accessed by a private lane. 15 townhouse units will have dual frontage with a main door facing Mill Street South and their driveways and garage accessed from the private lane. The remaining seven units will have driveways and main doors accessing the proposed private lane. The applicants have also submitted a site plan application for the development.

1. Application Details

1.1 Owner/Applicant: Landmark-Newcastle Limited

1.2 Agent: Mike Pettigrew, The Biglieri Group Ltd.

1.3 Proposal: To rezone the lands at 403 and 415 Mill Street South from “Urban Residential Type One (R1) Zone” and “Holding – Urban Residential Type One ((H)R1) Zone” to an appropriate zone that would permit the proposed townhouse development.

1.4 Area: 0.38 hectares (0.95 acres)

1.5 Location: 403 and 415 Mill Street South, Newcastle

1.6 Roll Numbers: 181703011009100

1.7 Within Built Boundary: Yes

2. Background

2.1 The applicants submitted Zoning By-law Amendment and Site Plan applications on October 20, 2017. The applications would permit the creation of 22 townhouse dwelling units, 15 fronting onto Mill Street South, accessed by a private lane. The development would be a standard condominium and would contain a water metering building located near the entrance to the site along Robert Street East, a community mail box and 5 visitor parking spaces.

2.2 The proposed units would be three storeys in height with garage doors facing the proposed private lane (See Figure 1). The proposed units are all three bedrooms with a total floor area of approximately 1,800 square feet.
2.3 The applicant has submitted the following studies in support of the applications:

- Planning Justification Report;
- Traffic Impact Study;
- Functional and Stormwater Management Report;
- Tree Inventory Report;
- Sustainability Brief;
- Noise Impact Study; and
- Phase One Environmental Site Assessment.
The studies are being reviewed by staff and agencies and will be summarized in a future report.

3. Land Characteristics and Surrounding Land Uses

3.1 The subject lands consist of two parcels, 403 and 415 Mill Street South. 403 Mill Street South has an existing one and a half storey single detached dwelling with accessory buildings in the east side yard. All the buildings would be removed to accommodate the proposed development. 415 Mill Street South is currently vacant.

Figure 2: Subject Lands with proposed 22 townhouse unit development
3.2 The subject lands are approximately 600 metres south of King Avenue, Newcastle’s Main Street immediately abutting the north side of Highway 401. The surrounding uses are as follows:

North – Single Detached Dwellings
South – Highway 401
East – Single Detached Dwellings
West – Single Detached Dwellings, Funeral Home and an Office Building

4. Provincial Policy

Provincial Policy Statement

4.1 The Provincial Policy Statement encourages planning authorities to create healthy, livable and safe communities by accommodating an appropriate range and mix of housing types and development patterns. Planning authorities are encouraged to promote opportunities for intensification and redevelopment in a compact form where it can be accommodated taking into account the availability of suitable existing infrastructure.

Growth Plan

4.2 The Provincial Growth Plan encourages municipalities to manage growth by directing population growth to settlement areas, such as the Newcastle Urban Area. Municipalities are encouraged to create complete communities including offering a mix of housing options.

4.3 The subject lands are within the built-up area and will contribute to the Municipality’s target of achieving a minimum of 32% of all new residential units annually within the built-up area.

5. Official Plans

Durham Region Official Plan

5.1 The Durham Region Official Plan designates the lands as Living Areas. Living Areas permit the development of communities that incorporate the widest possible variety of housing types, sizes and tenure to provide living accommodations that address various socio-economic factors. Higher densities, through intensification and redeveloping existing areas, particularly along arterials roads is encouraged. The proposed development conforms with the Living Area designation.

5.2 The Durham Region Official Plan designates Mill Street South as a Type B Arterial Road.
Clarington Official Plan

5.3 The Clarington Official Plan designates the subject lands Urban Residential. The Urban Residential designation is predominately intended for housing purposes. A variety of densities, tenure and housing types are encouraged. New development and redevelopment in existing neighbourhoods must be designed to respect and not negatively impact the physical character of the established neighbourhood.

6. Zoning By-law

6.1 Zoning By-law 84-63 zones the subject lands “Urban Residential Type One (R1) Zone” and “Holding – Urban Residential Type One ((H)R1) Zone”. The R1 zone permits single and semi-detached dwellings. Townhouses are not permitted in the R1 zone.

6.2 A Zoning By-law Amendment is required to zone the subject lands to permit the proposed townhouse development.

7. Public Notice

7.1 Public notice was mailed to each landowner within 120 metres of the subject lands on January 17, 2018 and Public Meeting signs were installed fronting onto Mill Street South and Robert Street East on January 18, 2018.

7.2 Staff received comments from one resident as of finalizing this report. The resident expressed the following concerns and questions:

- Does the plan provide a sufficient amount of parking on the site for residents and visitors;
- The entrance of the private lane to the existing intersection at Mill Street South and Robert Street East is too close;
- Does not want to see all garbage pickup up at one location at the entrance to the private lane;
- Questions regarding the height of the proposed townhouse units; and
- Questions regarding how the site will be regraded to facilitate the development proposal.

7.3 Staff responded to the resident to provide information to the questions regarding the height of the units, number of parking spaces and general grading requirements.
8. Agency Comments

**Durham Region**

8.1 Durham Region Planning, Works and Transportation Departments have no objections to the applications but identified some concerns with the studies submitted. The Region requires the Noise and Archeological studies to be revised to address the deficiencies identified in the reports.

8.2 The Region also noted that the proposed private road configuration does not meet their requirements for waste pickup. The plan will need to be revised for the Region to provide waste pickup.

**Ganaraska Region Conservation Authority**

8.3 Ganaraska Region Conservation Authority have no objections to the zoning by-law amendment. They have identified some concerns with the stormwater management report. They have requested the applicant update the report to address the concerns.

**Ministry of Transportation**

8.4 Comments from the Ministry of Transportation have not been received at the time of finalizing this report but will be included in a subsequent report.

**Other Agencies**

8.5 Enbridge, Rogers and Canada Post have no objections to the applications subject to site plan conditions. Comments from Bell, Veridian and the School Boards have not been received at the time of finalizing this report.

9. Departmental Comments

**Engineering Services Department**

9.1 The Engineering Services Department has identified issues regarding grading, stormwater management and sidewalks. The proposed development has 15 units fronting onto Mill Street South which currently has no sidewalk.

9.2 The Engineering Services Department have identified grading concerns, specifically along the east side of the property. The applicant is required to revise the grading plan and stormwater management report to provide additional information and address the identified concerns.

9.3 The applicant will need to provide details on how the new sidewalk will be constructed as there is concern with existing hydro poles and stormwater swales along Mill Street South.
Emergency Services Department

9.4 The Emergency Services Department had no objections to the approval of the application but indicated some site plan concerns that will need to be addressed. The items include insufficient road width to accommodate emergency vehicles on the proposed private road at the south end where the road hammerheads.

Accessibility Committee

9.5 The Accessibility Committee made a number of recommendations including that internal pedestrian pathways or sidewalks be considered and recommended that the accessible visitor parking space be more centrally located on the site.

10. Discussion

10.1 The applicants have submitted applications for rezoning and site plan to permit a 22 unit townhouse development on the subject lands. The proposed development is within an older established area of Newcastle. There has been little infill or redevelopment in the surrounding area in recent years. Many of the existing houses on Beaver Street and Robert Street were built in the late 1960s. The Official Plan contains policies encouraging intensification and redevelopment where it can be accommodated while respecting the physical character of the existing neighbourhoods.

10.2 One of the main challenges to developing the subject lands are access to the property. Mill Street South is a Type B Arterial Road in the Region of Durham Official Plan. Type B Arterials are designed to carry higher volumes of traffic with limited access. Due to the close location to Highway 401 interchanges this portion of Mill Street South is under the jurisdiction of the Ministry of Transportation. There is limited access potential on Mill Street South given the type of road, sightlines and grading from the bridge and ramps from Highway 401, and a signalized intersection at Mill Street South and Robert Street East.

10.3 The units are proposed to be designed with a door onto Mill Street South which will require a new sidewalk to provide pedestrian access to the front of the unit. There are existing drainage swales and ditches between the proposed dwellings and Mill Street South. The applicants will be responsible for providing an appropriate plan to continue to deal with stormwater in this area while introducing a new sidewalk. More details surrounding the future sidewalk and comments from the Ministry of Transportation will be required.

10.4 Ganaraska Region Conservation Authority, the Region of Durham and the Engineering Services Department have requested that a number of the studies and plans be revised to address concerns. The Ministry of Transportation have not provided comments to date. Their comments are required as they regulate a portion of the lands and the portion of Mill Street South the properties front onto.
10.5 The purpose of the Public Meeting is to provide an opportunity for further public input. These public comments will be compiled, discussed with the applicant and addressed in a subsequent staff report.

11. Concurrence

Not Applicable.

12. Conclusion

12.1 The purpose of this report is to provide background information on the Zoning By-law Amendment application submitted by Landmark-Newcastle Limited for the Public Meeting under the Planning Act. Staff will continue processing the application including the preparation of a subsequent report upon resolution of the identified issues.

13. Strategic Plan Application

Not applicable.

Submitted by: David Crome, MCIP, RPP
Director of Planning Services

Reviewed by: Andrew C. Allison, B. Comm, LL.B
CAO

List of interested parties:

Dave Martino, Landmark-Newcastle Ltd.
Eric Malfa, Landmark-Newcastle Ltd.
Mike Perrigrew, The Biglieri Group Ltd.
Sue White
Dave Eastman
Lonny Gibson

CP/BW/ah
Planning Services
Public Meeting Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: Planning and Development Committee
Date of Meeting: February 20, 2018
Report Number: PSD-018-18
File Number: ZBA2017-0019
Report Subject: An Application by Bowmanville Lakebreeze East Village Ltd. to amend the R3-43 zone to permit a 341 unit townhouse development (Kaitlin) in Port Darlington Neighbourhood in Bowmanville

Recommendations:

1. That Report PSD-018-18 be received;
2. That the proposed application for Rezoning ZBA 2017-0019 continue to be processed including the preparation of a subsequent report; and
3. That all interested parties listed in Report PSD-018-18 and any delegations be advised of Council’s decision.
Report Overview

This is a public meeting report to provide an overview of the application by Bowmanville Lakebreeze East Village Ltd., a Kaitlin company. The proposed rezoning would amend the R3-43 Zone to permit a townhouse (condominium) development (341 units) including a mix of stacked and traditional townhouse units, and to reduce parking requirements for stacked townhouse units. The lands are within the Port Darlington Neighbourhood in Bowmanville.

1. Application Details

Applicant: Bowmanville Lakebreeze East Village Ltd. (Kaitlin)

Proposal: A proposed rezoning to amend the R3-43 Zone to permit a townhouse (condominium) development (341 units) including a mix of stacked, dual frontage and traditional townhouse units, and to reduce parking requirements for some stacked townhouse units.

Area: 7.68 hectares

Location: West side of Bennett Road

Roll Number: 1817 010 010 01600 and 1817 010 010 01400

Within Built Boundary: Yes

2. Background

2.1 The proposed rezoning and concurrent site plan application (SPA2017-0035) were submitted on May 16, 2017. The applications were deemed complete on January 18, 2018.

2.2 There are two plans of subdivision that comprise the new development areas in Port Darlington Neighbourhood

- Port Darlington Land Corporation East (PDLC East) plan of subdivision (S-C-2002-002) was draft approved in 2012. The medium density block is contained within the draft approved plan.
- Port Darlington Land Corporation West (PDLC West) plan of subdivision (S-C-2013-002) was draft approved in 2014.

2.3 A total of 1,084 units are draft approved at this time as outlined in Table 1. Onsite grading and servicing has begun, with final approval and registration expected to occur in the next month or two.
Table 1: Port Darlington Land Corporation Draft Approved Subdivisions

<table>
<thead>
<tr>
<th>Density</th>
<th>PDLC West Lands</th>
<th>PDLC East Lands</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Density</td>
<td>0</td>
<td>426</td>
<td>426</td>
</tr>
<tr>
<td>Medium Density</td>
<td>0</td>
<td>424</td>
<td>424</td>
</tr>
<tr>
<td>Low Density</td>
<td>234</td>
<td>0</td>
<td>234</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>234</strong></td>
<td><strong>850</strong></td>
<td><strong>1,084</strong></td>
</tr>
</tbody>
</table>

2.4 The preliminary site plan includes for the medium density block in the PDLC East (Figure 1), as shown on Figure 2, indicates 341 townhouse units, 83 units less than the Draft Approval for 424 units, as follows:

- 110 – three storey townhouse units with access on private lanes with traditional rear yards.
- 79 – three storey dual frontage townhouse units with vehicular access and parking accessed from the private lane and front doors facing Port Darlington Road.
- 152 – four storey stacked townhouse units.

2.5 The proposed zoning amendment proposes the following changes to the existing zoning:

- Introduce stacked townhouse units as a permitted form of housing;
- Reduce the required parking for dwelling units that are 1 bedroom or less within a stacked townhouse building;
- Reduce the setback requirements for a dwelling to a private road and allow porch or steps to be as close as 0.9 metres to a property line.

2.6 The following studies were submitted in support of the application and are under review:

- Noise Study
- Energy Conservation and Sustainability Plan
- Parking Study
- Functional Servicing Report
- Landscape Analysis
Figure 2: Master Block Plan for Subject Lands
3. Land Characteristics and Surrounding Uses

3.1 The subject lands have a rolling topography. The site has been stripped of topsoil and onsite preliminary grading and servicing works have begun (Figure 3).

![Figure 3: Photo of Subject Lands]

3.2 The surrounding uses are as follows:
- North - CN Railway and Industrial lands
- South - Future waterfront park and trail; Lake Ontario
- East - Municipal parkland on the east side of Bennett Road
- West - Lands Zoned for Apartment Use (up to 8 storeys and up to 120 units per hectare)

4. Provincial Policy

Provincial Policy Statement

4.1 The Provincial Policy Statement identifies settlement areas as the focus of growth. Land use patterns shall be based on densities and a mix of land uses that efficiently use land, resources and infrastructure. Opportunities for redevelopment and intensification must be promoted. Municipalities must provide a variety of housing types and densities, and a range of housing options that are affordable to the area residents.
4.2 Healthy and active communities should be promoted by planning public streets to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity. Compact and diverse developments promote active modes of transportation such as walking and cycling.

**Provincial Growth Plan**

4.3 The Growth Plan for the Greater Golden Horseshoe was amended in May 2017 and all decisions of Council after July 1, 2017 must conform to the amended policies.

4.4 The subject lands are within the defined Built Boundary. Population and employment growth will be accommodated by directing a significant portion of new growth to the built up areas through intensification and efficient use of existing services and infrastructure.

4.5 The development of complete communities is encouraged by promoting a diverse mix of land uses, a mix of employment and housing types, high quality public open space and easy access to local stores and services. New transit-supportive and pedestrian-friendly developments will be concentrated along existing and future transit routes. A minimum of 40 percent of all residential development occurring annually within each upper tier municipality will be within the built up area.

5. **Official Plans**

**Durham Regional Official Plan**

5.1 The subject lands are designated Living Area, and are considered to be within the Waterfront Place designation. The Lake Ontario shoreline is identified as Waterfront Area. The predominant use of lands within the Living Area designation shall be for housing purposes.

5.2 There is specific recognition of the Port Darlington area as a Waterfront Place. Waterfront Places shall be developed as focal points along the Lake Ontario waterfront having a mix of uses, integrated with the Greenlands System. Uses may include residential, commercial, marina, recreational, tourist, and cultural and community facilities. The scale of development shall be based on and reflect the characteristics of each Waterfront Place. Where appropriate Waterfront Places shall be planned to support an overall, long-term density target of at least 60 residential units per gross hectare and a floor space index of 2.0. The built form should vary, and be developed in a manner that is sensitive to the interface with the natural environment, as detailed in area municipal official plans.

5.3 As the lands are within the Built Boundary, a minimum 32 percent of all residential development occurring annually in Clarington shall be through intensification within built-up areas.
Clarington Official Plan

5.4 The Clarington Official Plan designates the lands Urban Residential and the lands are within the limits of the Waterfront Place. Waterfront Places are considered to be a Priority Intensification Area, together with Corridors, Centres and Transportation Hubs. Lands within Waterfront Place must achieve a minimum net density of 40 units per hectare and a range of heights between 2 and 12 storeys.

5.5 The Official Plan contains policies for the creation of multi-unit residential developments. These policies were considered through the establishment of the Port Darlington Secondary Plan and application for Draft Approval.

5.6 The update to the Clarington Official Plan introduces an arterial road network through the Port Darlington Neighbourhood. Port Darlington Road extension and Lambs Road are considered arterial roads.

5.7 The Official Plan provides additional direction on built form, urban design and sustainability measures to be implemented through the site plan process.

5.8 Environmental Impact Studies and related environmental reports were approved at the time of previous approvals of the subdivision. The appropriate development limits adjacent to Lake Ontario and Bennett Creek were established through the Draft Approval in accordance with all applicable policies in place at the time including the Clarington Official Plan.

Port Darlington Neighbourhood Secondary Plan

5.9 The Port Darlington Neighbourhood Secondary Plan provides a more detailed land use plan for this area. The lands are within a Medium Density Residential designation. The Secondary Plan has a focus on providing a high quality urban environment, with attention to heritage resources, the waterfront and recreational opportunities. The Waterfront Greenway with the Waterfront Trail and the District Park is designated along the Lake Ontario shoreline. The plan requires proponents to submit comprehensive design documents showing how the development will satisfy the urban design objectives.

6. Zoning By-law

6.1 Zoning By-law 84-63 zones the subject lands Holding - Urban Residential Zone ((H)R3-43 Zone which permits up to 424 units in the form of link townhouse units and apartment units.

7. Public Notice and Submissions

7.1 Notice of the Public Meeting was mailed on February 2, 2018, in addition to posting on the municipal website and in the Planning Services Department E-update.

7.2 At the time of writing this report Staff have received only general inquiries from area residents.
8. Agency Comments

8.1 At the time of writing this report, comments have not been received from the Region of Durham, the Central Lake Ontario Conservation Authority, and several other circulation agencies.

9. Departmental Comments

Engineering Services

9.1 The Engineering Services Department has no objection to the proposed rezoning, however notes that the applicant must resolve all issues relating to the final Subdivision Approval prior to proceeding with the proposed development.

9.2 Engineering Staff have several comments relating to access design, servicing and grading on the site plan lands to be addressed in the context of the overall development scheme for the neighbourhood. Detailed technical comments will be provided to the applicant. Private entrances to the condominium townhouse block from Port Darlington Road extension will require approval and performance guarantees to the satisfaction of the Director of Engineering Services.

9.3 Engineering Staff has reviewed the Parking Study. While the report appears to provide sufficient justification for a reduction in parking related to the 1 bedroom stacked townhouse units, Engineering Staff together with other municipal departments will be discussing the potential implications of the reduction.

9.4 Standard requirements apply with respect to site alteration, timing windows for road excavation and construction, and noise attenuation.

Emergency and Fire Services

9.5 Clarington Emergency and Fire Services have no objections to the rezoning, however have provided detailed comments on the site plan with respect to fire routes and turning radii for fire trucks, requirements for no parking signage along fire routes and hydrant spacing.

10. Discussion

Accessibility

10.1 The subject lands are within an approved plan of subdivision and were previously zoned based on a different preliminary site plan which included low rise apartments.

10.2 While the request to add a stacked townhouse product, and to refine the unit or Parcel Tied Land (POTL) regulations, appears to be a minor request, Staff have expressed concern that the proposed housing forms all have stairs, interior or exterior to the unit or both and the current plan lacks any accessible units. The current plan for 341 units has
no accessible units. This issue has previously been noted to the applicant including the need for some revisions to the site plan to find opportunities for accessible units.

**Parking**

10.3 A component of determining the final unit mix will be the assessment of suitable parking. The applicant is requesting relief from the typical parking requirements for smaller 1 bedroom units within some of the stacked townhouses. The zoning by-law requires 2 parking spaces for each townhouse unit regardless of size.

10.4 The stacked townhouse product is relatively new to Clarington. A typical cross section is shown in Figure 4, and an elevation drawing of a typical townhouse block is provided in Figure 5. Each townhouse section provides for 4 units. A small one bedroom unit is proposed at the first level – partially below grade, with a larger unit occupying all of the main floor (at least 2 bedrooms), with the third and fourth floor also providing for 2 additional units (at least 2 bedrooms each).

10.5 The Zoning By-law requires 2 parking spaces for each townhouse unit, plus 0.25 spaces for each unit to be assigned to visitor parking. No distinction is made between a traditional townhouse unit and a stacked unit which may have small units more similar in size to an apartment unit.

10.6 The applicant has prepared a parking study to justify the requested reduction in parking, 30 spaces overall, attributed to the stacked townhouse component. The study requests consideration of a lesser rate for the stacked units, specifically reducing the rate for the 38 1-bedroom stacked units, from 2 spaces per unit, down to 1.21 spaces per unit. Visitor parking would continue to be provided at a rate of 0.25 spaces per unit for all the stacked units. The parking study is currently under review.

![Figure 4: Stacked Unit Cross-Section](image)
The site plan review process will allow staff to review the Zoning compliance with the R3-43 Zone and to report back with an amendment that appropriately reflects unit mix, parking and unit regulations based on appropriate site design.

The purpose of the public meeting is to provide an opportunity for further public input. These public comments will be addressed in a subsequent staff report.

11. Concurrence

Not Applicable.

12. Conclusion

The purpose of this report is to provide background information for the Public Meeting on the rezoning application submitted by Bowmanville Lakebreeze East Village Ltd. Staff will continue processing the application including the preparation of a subsequent communication.
13. Strategic Plan Application

Not applicable.

Submitted by: David J. Crome, MCIP, RPP
Director of Planning Services

Reviewed by: Andrew C. Allison, B.Comm, LL.B
Chief Administrative Officer

Staff Contact: Anne Taylor Scott, Senior Planner, 905-623-3379 ext. 2414 or ataylorscott@clarington.net

The following is a list of the interested parties to be notified of Council's decision:

Enzo Bertucci

ATS/CP/nl
Planning Services
Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: Planning and Development Committee

Date of Meeting: February 20, 2018

Report Number: PSD-019-18

Resolution: 

File Number: S-C 2005-003 and S-C 2005-004

By-law Number: 

Report Subject: Extension to Draft Approval for Two Draft Approved Plans of Subdivision by Smooth Run Developments (DG Group Inc.) and Brookfield Homes (Ontario) Ltd in Newcastle

Recommendations:

1. That Report PSD-019-18 be received;

2. That the extension to Draft Approval for S-C 2005-003 be supported subject to the Conditions as contained in Attachment 2 to PSD-019-18;

3. That the extension to Draft Approval for S-C 2005-004 be supported subject to the Conditions as contained in Attachment 3 to PSD-019-18;

4. That the Durham Regional Planning and Economic Development Department and Municipal Property Assessment Corporation be forwarded a copy of Report PSD-019-18 and Council’s decision; and

5. That all interested parties listed in Report PSD-019-18 and any delegations be advised of Council’s decision.
Report Overview
The report recommends an extension to draft approval of S-C 2005-003 (Smooth Run Developments) and S-C 2005-004 (Brookfield Homes (Ontario) Ltd.) in North Newcastle Village for a period of six years.

1. Application Details

1.1 Owners: Smooth Run Developments (DG Group Inc.) S-C 2005-003
Brookfield Homes (Ontario) Limited S-C 2005-004

1.2 Agent: GHD

1.3 Proposal: Smooth Run Developments: 656 unit residential Draft Approved Plan of Subdivision consisting of 326 single detached dwellings, 76 semi-detached dwellings, 76 linked dwelling units, 84 townhouse units, and a medium density townhouse block, 1 elementary school, 1 park block, a parkette, a daylighted tributary, 2 stormwater management ponds, an open space block, a block for a water reservoir and a Future Development Block.

Brookfield Homes (Ontario) Limited: 270 unit residential Draft Approved Plan of Subdivision, consisting of 139 single detached dwellings units, 62 linked dwellings, 69 townhouse units, a parkette, a walkway, a servicing block and a Future Development Block.

1.4 Area: Smooth Run Developments 73.84 hectares
Brookfield Homes 34.86 hectares
Total 108.70 hectares

1.5 Location: Part Lots 27 & 28, Concession 2, Township of Clarke. See Figure 1.

1.6 Roll Numbers: 18-17-030-030-04105, 18-17-030-130-09350 & 18-17-030-130-09200

1.7 Within Built Boundary: No
2. Background

2.1 On August 24, 2005 Staff received an application to amend the Clarington Official Plan submitted jointly by Smooth Run Developments and Brookfield Homes (Ontario) Limited. An application for a Neighbourhood Design Plan was also jointly submitted. Smooth Run and Brookfield submitted separate application for proposed draft plans of subdivision and rezoning for their respective lands.
2.2 On August 7, 2008 the Municipality received a Notice of Appeal by both Smooth Run and Brookfield Homes. The appeals were filed under Sections 22 (7), 51 (34) and 35(11) of the Planning Act, for the Municipality not making a decision on the development applications within the prescribed timeframes.

2.3 Following the appeal, the applicants, staff and agencies worked through the various issues. At the June 25, 2012 General Purpose and Administration Committee, Committee approved Report PSD-034-12 which requested the Ontario Municipal Board (OMB) to approve the Official Plan Amendment, the two draft plans and the corresponding rezoning applications. Given the size of the development, the conditions of draft approval provided an expiry date of six years from the date approvals were given. The OMB issued its decision October 19, 2012, approving all applications.

2.4 At the time the applications were being considered, it was understood that servicing this area would require the construction of a reservoir, feeder mains, a pumping station, expansions to the Newcastle Water Supply System, and Wilmot Water Pollution Control Plant (WPCP) as well as construction of a new trunk sewer along the Foster Creek and the extension of a trunk sewer on North Street. In 2013, the Region provided a forecast for improvements for design and construction of the various works. On that basis, the applicant prepared and submitted detailed engineering drawings to the Engineering Services Department for Phase 1 only. However, implementation of the forecast for regional improvements was delayed. In 2017, the Region provided a revised forecast. (Table 1).

<table>
<thead>
<tr>
<th>Required Infrastructure</th>
<th>2013 Forecast</th>
<th>2017 Forecast</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upgrade Zone 1 Water Reservoir &amp; Feedermain</td>
<td>Design 2014, Construct 2015</td>
<td>Design 2019, Construct 2021-23</td>
</tr>
<tr>
<td>New Zone 2 Water Pump Station and Feedermain</td>
<td>Design 2015, Construct 2016</td>
<td>Design 2019, Construct 2021-23</td>
</tr>
<tr>
<td>Foster Creek Truck Sanitary Sewer Extension</td>
<td>Design 2013, Construct 2014</td>
<td>Design 2018, Construct 2019</td>
</tr>
</tbody>
</table>

*Table 1: Region of Durham 2013 and 2017 Forecast for Infrastructure Improvements in Newcastle Village.*

2.5 On May 29, 2017, a letter from GHD was received requesting an extension to draft approval for both draft plans for an additional six years. (Attachment 1)
3. Discussion

3.1 The Region’s revised timetable in the advancing the design and construction of the necessary infrastructure to advance the development of the draft plans has had a significant impact to these developments. According to GHD, the developers have had many discussions with the Region. The Region had suggested that changes to the Development Charges Act through Bill 73, introduced in 2016 prohibits the developer from up fronting the costs for the required improvements. The earliest opportunity to commence house construction of Phase 1 is 2022. The developers are requesting an extension to 2024. It is likely that similar requests will be made to advance beyond development of Phase 1.

4. Recommendations

4.1 Given significant delays to the infrastructure improvements, Staff have no objection to the request for the extension to draft approval of S-C 2005-003 (Smooth Run Developments) and S-C 2005-004 (Brookfield Homes) for a period of six years.

Submitted by: David J. Crome, MCIP, RPP
Reviewed by: Andrew C. Allison, B.Comm, LL.B

Director of Planning Services
CAO

Staff Contact: Cynthia Strike Principal Planner, 905-623-3379 ext. 2410
or cstrike@clarington.net

Attachments:

Attachment 1 - Letter from Darren Marks P. Eng. GHD
Attachment 2 - Amendment to Conditions of Draft Approval S-C 2005-003 (Smooth Run)
Attachment 3 - Amendment to Conditions of Draft Approval S-C 2005-004 (Brookfield)

A list of people to be notified of council’s decision:

Aidan Dekkema, Brookfield Homes
Paolo Sacilotto, Smooth Run
Darren Marks, GHD

CS/CP/nl
May 29, 2017

David Crome
Director of Planning Services
Corporation of the Municipality of Clarington
40 Temperance Street
Bowmanville ON L1C 3A6

Dear Mr. Crome:

Re: Draft Approved Plan of Subdivision – Brookfield Residential (Ontario) Limited
Final Approval Extension Request
Part Lot(s) 27 & 28 Concession 2, Former Town(ship) of Clarke
File No. S-C-2005-004

On behalf of the Developer, Brookfield Residential (Ontario) Limited, kindly accept this letter as our formal written request for an extension to the date of final approval requirement for this plan. For your information and consideration, we outline the following in support of our extension request.

1. The North Village – Brookfield Draft Plan (S-C-2005-004) received approval in November 2012. Brookfield Residential intentions were to initiate a perpetual development phasing schedule which aligned with the Regions 2013 Water Supply and Sanitary Sewerage Servicing and Financing Study forecast of the following required infrastructure improvements.
   - Upgrade Zone 1 Water Reservoir and Feedermain (Design 2014, Construct 2015)
   - New Zone 2 Water Pump Station and Feedermain (Design 2015, Construct 2016)
   - Newcastle WPCP Additional Capacity Expansion (Design 2014, Construct 2015)
   - North Street Trunk Sanitary Sewer Extension (Design 2014, Construct 2015)
   - Foster Creek Trunk San. Sewer Extension North of 401 (Design 2013, Construct 2014)

2. First submission of the Phase 1 detailed engineering design drawings was made in November 2014. However, the forecast of the required infrastructure improvements had not maintained an implementation schedule which would permit subsequent development phases to advance. The opportunity/timing to advance subsequent development phases of the North Village Neighbourhood is a critical component in the commencement and timing of when to construct Phase 1 of this draft plan, along with the subsequent phases in this neighbourhood plan.

3. Over the past four years Brookfield Residential, along with DG Group have met regularly with the Region of Durham, most recently on February 23, 2017, in attempts to maintain the budget/implementation forecast timeline. The following however outlines the 2017 Water Supply and Sanitary Sewerage Servicing and Financing Study current forecast which illustrate a significant deferral from the 2013 study forecast for these required infrastructure improvements.
   - Upgrade Zone 1 Water Reservoir and Feedermain (Design 2019, Construct 2021-23)
   - New Zone 2 Water Pump Station and Feedermain (Design 2019, Construct 2021-23)
   - Newcastle WPCP Additional Capacity Modifications (Design 2017, Construct 2019)
   - North Street Trunk Sanitary Sewer Extension (Design 2017, Construct 2019)
4. Many attempts to move the neighbourhood plan forward has been made by the Developer. As an example, Brookfield (along with DG Group) was prepared to assume the full cost of implementing a temporary water pressure booster station to advance Phase 1 without reimbursement from the Region of Durham. However, due to the 2016 changes to the Development Charges Act from Bill 73, the Region of Durham will not approve the Developers request to supply and install this temporary water booster station. A temporary water booster station is required for Phase 1 to proceed in advance of an operational Zone 2 water pump station. Hence, any development of the North Village – Brookfield Draft Plan is postponed until the Zone 1 and Zone 2 water system improvements are completed.

Brookfield Residential does not intend to commence the earthworks program for the entire site if only a small number of lots can be developed. Commencing the earthworks program now would only leave much of the site being left barren until there was certainty as to when subsequent phases can be developed. We feel the Municipality does not want the site left in an unfinished state for an unknown period of time.

Understanding that currently the earliest opportunity for the Developer to commence Phase 1 construction of the North Village – Brookfield Draft Plan is year 2022, we would respectfully request the date of final approval requirement for this plan be extended by six (6) years to November 2024.

We trust this information is satisfactory to meet your current requirements, permitting Clarington to process and endorse this extension request. However please feel free to contact the undersigned should you have questions or require further documents/applications regarding this matter.

Sincerely,
GHD

[Signature]
Darren Marks, P.Eng.
Project Manager, Land Development - Ontario

DM/Mlh

Encl.

cc: Municipality of Clarington; Attn: Anthony Cannella
Brookfield Residential; Attn: David Murphy, Aidan Dekkema
DG Group; Attn: Paolo Sacilotto, Thomas Albani
GHD; Attn: Bryce Jordan
AMENDMENT TO THE CONDITIONS OF DRAFT APPROVAL
DRAFT PLAN OF SUBDIVISION S-C 2005-003 (Smooth Run)

<table>
<thead>
<tr>
<th>Issued for Review:</th>
<th>Notice of Decision:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Amendment Approved:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

Issued for Review: _____________  Notice of Decision: _____________  Amendment Approved: ________________

The Notes to Draft Approval are amended, as shown below,

**NOTES OF DRAFT APPROVAL**

If final approval is not given to Phase 1 by February 20, 2024, and no extensions have been granted, draft approval shall lapse and the file shall be **CLOSED**. Extensions may be granted provided valid reason is given and is submitted to the Director of Planning Services for the Municipality of Clarington well in advance of the lapsing date.
AMENDMENT TO THE CONDITIONS OF DRAFT APPROVAL
DRAFT PLAN OF SUBDIVISION S-C 2005-004 (Brookfield Homes)

Issued for Review: _____________
Notice of Decision: _____________
Amendment Approved: ________________

The Notes to Draft Approval are amended, as shown below,

NOTES OF DRAFT APPROVAL

If final approval is not given to Phase 1 by February 20, 2024, and no extensions have been granted, draft approval shall lapse and the file shall be CLOSED. Extensions may be granted provided valid reason is given and is submitted to the Director of Planning Services for the Municipality of Clarington well in advance of the lapsing date.
Planning Services
Report

If this information is required in an alternate accessible format, please contact the Accessibility Coordinator at 905-623-3379 ext. 2131.

Report To: Planning and Development Committee

Date of Meeting: February 20, 2018

Report Number: PSD-020-18 Resolution:

File Number: ZBA2018-0005 By-law Number:

Report Subject: An application by 3D Cana Inc. for the Removal of Holding (H) Symbol at 685 Lake Road in Bowmanville to permit the development of a new industrial building

Recommendations:

1. That Report PSD-020-18 be received;

2. That the application submitted by 3D Cana Inc. to remove the Holding (H) symbol be approved and that the attached By-law to Report PSD-020-18 be approved;

3. That Council's decision and a copy of Report PSD-020-18 be forwarded to the Region of Durham and the Municipal Property Assessment Corporation; and

4. That all interested parties listed in Report PSD-020-18 and any delegations be advised of Council's decision.
Report Overview

This report is recommending approval of an application by 3D Cana Inc. to remove the Holding (H) symbol from 685 Lake Road, Bowmanville to permit the construction of a new industrial building. The applicant has submitted a site plan application for the property which is currently being reviewed by staff and agencies under our Priority Processing program.

1. Application Details

1.1 Owner/Applicant: 3D Cana Inc.

1.2 Agent: Hamid Mirzaei, 3D Cana Inc.

1.3 Proposal: Removal of Holding (H) symbol from:
   “Holding-Light Industrial ((H)M1) Zone”

1.4 Area: 1.54 hectares (3.82 acres)

1.5 Location: 685 Lake Road, Bowmanville

1.6 Roll Number: 181701001001685

1.7 Within Build Boundary: Yes

2. Background

2.1 On December 22, 2017 3D Cana Inc. submitted an application for site plan approval on the subject lands. The subject lands are part of a subdivision that was registered on June 4, 1998 (see Figure 1). The subdivision agreement contains provisions to extend Lake Road and stormwater management infrastructure requirements. No work was done on the subdivision following execution of the agreement in 1998. Recently, the owner has sold the majority of the lots and is working to fulfill the obligations of the subdivision agreement. The site plan application will address the grading, landscaping, stormwater controls on site and building design. The applicant is aiming to have construction completed and the business operating by July 2018.

2.2 The subject lands front onto a portion of Lake Road that is not currently constructed. The design of the extension of Lake Road is being finalized and construction is anticipated to begin in spring 2018. The applicant is seeking to start construction of the building prior to the completion of the extension of Lake Road. In order to gain access to the site without the Lake Road extension being completed the applicant is proposing a temporary access over the two properties to the west from South Service Road. The applicant owns the adjacent lands to the west, 645 Lake Road, and have obtained permission from the owners of 605 Lake Road to facilitate the access.
2.3 A site alteration permit has been approved for the temporary access and site works to be completed prior to final site plan approval. The site alteration permit includes securities for on-site works.

2.4 Water and sanitary services for the subdivision are currently available within the future Lake Road right-of-way. The applicants will be required to enter into a servicing agreement with the Region of Durham.

2.5 Staff and external agencies have reviewed the site plan application and provided comments to the applicants with the required revisions. The applicant is currently revising the site plan drawings and studies to address staff and agency comments.

Figure 1: Aerial of subject lands and surrounding context
3. **Staff Comments**

3.1 The applicant indicated that they need to have the facility constructed and operational by July 2018. The facility is required to be licenced by Health Canada under the Access to Cannabis for Medical Purposes Regulations.

3.2 The Holding (H) symbol is a provision enabled by the Official Plan to ensure that certain obligations have been considered prior to the development of the lands. This includes: servicing, access, protection of natural areas, measures to mitigate the impact of development, submission of required studies, execution of agreements and any other requirements deemed necessary by Council.

3.3 In order to facilitate the applicant’s development timelines, a site alteration permit was approved to allow the construction of a temporary access and to start the site servicing works prior to site plan approval.

3.4 The applicant is currently revising the site plan submission to address staff and agencies comments. Site plan approval will be required prior to the issuance of a full building permit. Although the site plan agreement has not been executed, staff recommend lifting the “H” symbol at this time to allow the site servicing works. It would also allow a conditional building permit for footings and foundation to be issued prior to the site plan agreement being finalized.

3.5 All property taxes have been paid in full.

4. **Concurrence**

   Not Applicable.

5. **Conclusion**

   It is respectfully recommended that Council approve the removal of the (H) Holding Symbol for 685 Lake Road, as shown on the attached By-law (Attachment 1).

6. **Strategic Plan Application**

   Not applicable.
Submitted by: David Crome, MCIP, RPP, Director of Planning Services
Reviewed by: Andrew C. Allison, B. Comm, LL.B, CAO

Staff Contact: Brandon Weiler, Planner, Development Review, 905-623-3379 x2424 or bweiler@clarington.net

Attachments:
Attachment 1 - By-law to remove the (H) Holding Symbol

List of interested parties to be notified of Council's decision is on file in the Planning Services Department.

Hamidreza Mirzaei
Frank Rotundo
The Corporation of the Municipality of Clarington

By-law Number 2018-______

being a By-law to amend By-law 84-63, the Comprehensive Zoning By-law for the Corporation of the Municipality of Clarington

Whereas the Council of the Corporation of the Municipality of Clarington deems it advisable to amend By-law 84-63, as amended, of the Corporation of the Municipality of Clarington to permit the development of a new 1,963 square metre industrial building on the subject lands (ZBA2018-0005);

Now Therefore Be It Resolved That the Council of the Corporation of the Municipality of Clarington enacts as follows:

1. Schedule “3” (Bowmanville)” to By-law 84-63, as amended, is hereby further amended by changing the zone designation from:

   “Holding – Light Industrial ((H)M1) Zone” to “Light Industrial (M1) Zone”

as illustrated on the attached Schedule “A” hereto.

2. Schedule “A” attached hereto shall form part of the By-law.

3. This By-law shall come into effect on the date of passing hereof, subject to the provisions of Sections 34 and 36 of the Planning Act.

By-Law passed in open session this _____ day of ______________, 2018

__________________________________
Adrian Foster, Mayor

__________________________________
C. Anne Greentree, Municipal Clerk